United Nations S/AC.57/2015/16

Security Council

Distr.: General
7 July 2015

Original: English

Security Council Committee established pursuant to resolution 2206 (2015) concerning South Sudan

Note verbale dated 2 July 2015 from the Permanent Mission of Kazakhstan to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Republic of Kazakhstan to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 2206 (2015) concerning South Sudan, and has the honour to transmit the National Action Plan of the Republic of Kazakhstan to implement Security Council resolution 2206 (2015) of 3 March 2015 (see annex).

15-11451 (E) 090715 130715

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Annex to the note verbale dated 2 July 2015 from the Permanent Mission of Kazakhstan to the United Nations addressed to the Chair of the Committee

[Original: Russian]

National Plan of Action of the Republic of Kazakhstan for the implementation of Security Council resolution 2206 (2015) of 3 March 2015

1. The Border Service of the National Security Committee and the Ministry of the Interior of the Republic of Kazakhstan shall take the necessary measures to prevent the entry into or transit through the territory of the Republic of Kazakhstan of any individuals designated by the sanctions Committee pursuant to paragraph 9 of resolution 2206 (2015), who represent a threat to the peace process or are complicit in, or have engaged in, directly or indirectly, actions or policies that threaten the peace, security or stability of South Sudan, provided that nothing in this paragraph shall oblige the Republic of Kazakhstan to refuse entry into its territory to its own nationals.

2. The Financial Monitoring Committee of the Ministry of Finance, the Ministry of the Interior and the National Security Committee of the Republic of Kazakhstan shall take the necessary measures to identify and freeze without delay all funds, other financial assets and economic resources that are on the territory of the Republic of Kazakhstan and are owned or controlled, directly or indirectly, by any individuals or entities included in the sanctions list or by any individuals or entities acting on their behalf or at their direction, or by entities referred to in paragraph 12 of resolution 2206 (2015) that are owned or controlled by them, and also to ensure that no funds or other assets shall be made available to them by nationals of the Republic of Kazakhstan or by any persons within the territory of the Republic of Kazakhstan.

3. The Ministry of Foreign Affairs of the Republic of Kazakhstan, with a view to adopting measures to prevent the entry into or transit through the territory of the Republic of Kazakhstan of any individuals designated by the aforementioned sanctions Committee in accordance with paragraph 9 of resolution 2206 (2015) and also to preventing the use of funds, other financial assets and economic resources by persons referred to in paragraph 12 of resolution 2206 (2015), shall promptly send to the relevant State agencies of the Republic of Kazakhstan any information concerning individuals (full family name, first name, patronymic, date of birth, nationality and passport number) and entities that, as established by the Security Council Committee, represent a threat to the peace process in South Sudan.

4. The National Security Committee, the State Revenue Committee of the Ministry of Finance and the Ministry of the Interior of the Republic of Kazakhstan shall report within twenty-four hours to the Ministry of Foreign Affairs of the Republic of Kazakhstan on all information discovered and action taken thereon under this Plan.

United Nations S/AC.57/2015/17

Security Council

Distr.: General
15 July 2015
English
Original: Spanish

Security Council Committee established pursuant to resolution 2206 (2015) concerning South Sudan

Note verbale dated 13 July 2015 from the Permanent Mission of the Plurinational State of Bolivia to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Plurinational State of Bolivia to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 2206 (2015) concerning South Sudan and has the honour to transmit herewith the report in which the Department of Legal Affairs of the Ministry of Foreign Affairs of the Plurinational State of Bolivia transmits the report on the assets freeze and travel ban provided for in Security Council resolution 2206 (2015) (see annex).

15-11924 (E) 210715 220715

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Annex to the note verbale dated 13 July 2015 from the Permanent Mission of the Plurinational State of Bolivia to the United Nations addressed to the Chair of the Committee

Fax No. 100

Classification: Very urgent
Date: La Paz, 10 June 2015 Ref: GM-DGAJ-Fs-210/2015

Addressed to:	Ambassador Sacha Sergio Llorenty Solíz Permanent Representative of the Plurinational State of Bolivia to the United Nations, New York, United States of America
Sent by:	Dr. César Adalid Siles Bazán Director of Legal Affairs
Institution:	Permanent Mission of the Plurinational State of Bolivia to the United Nations, New York, United States of America
Sent to Fax No.:	
City-Country:	New York, United States of America
No. of pages:	3 pages (including this one)
Subject:	Assets freeze and travel ban provided for in Security Council resolution 2206 (2015)

1. I am writing in connection with your fax CITE/MBNU/129/15, which enclosed a copy of note SCA/1/15(05) from the Chair of the Security Council Committee, in which he requested Member States and non-Member States to report on the steps taken to implement effectively the travel ban and assets freeze imposed by paragraphs 9 and 12, respectively, of Security Council resolution 2206 (2015) of 3 March 2015.

2. In particular, I would like to inform you that on 30 July 2012, Act No. 262 on the freezing of funds and other assets of persons linked to terrorist acts and the financing of terrorism was promulgated. The purpose of the Act, according to its article 1, is "... to establish and regulate the preventive freezing of funds and other assets of individuals or entities linked to terrorism or the financing of terrorism that are included in the public lists of the United Nations or as part of the requirements for States in the context of international cooperation".

3. In addition, the procedure for the freezing of funds and other assets of individuals or entities included in the public lists of the Security Council is set out in article 4. It provides that this Ministry, when receiving the aforementioned lists from the Security Council, shall forward them within a maximum of two working days to the Financial Investigation Unit, so that the Unit, within a maximum of one working day, can make arrangements by means of an express administrative decision for the preventive freezing of funds and other assets of individuals or entities, without prior notification, and for the mandatory transmission of this

administrative decision to the reporting entities of the national financial system and the relevant public registry offices with the resultant effects.

4. The Financial Investigations Unit is also instructed to send, at the same time, the administrative decision on preventive freezing of funds and other assets to the duty investigating magistrate responsible for criminal preventive measures in the place in which the Unit has its headquarters, whose sole duty shall be to verify that the relevant individuals or entities are included in the public lists of the Security Council and, that being the case, to ratify the preventive freezing. The funds and other assets shall remain frozen until such time as the individuals or entities are removed from the lists or a court decision on the non-application of the preventive freezing is issued because the individuals or entities are not included in the lists.

5. In addition, Supreme Decree No. 1553 was issued on 10 April 2013. According to its article 1, supplemental procedures are established for the aforementioned regime for the freezing of funds and other assets as set out in the aforementioned Act No. 262, so that freezing measures can be lifted if the individuals or entities are removed from the list or for reasons of humanitarian need to allow individuals affected by the freeze to meet their basic or extraordinary expenses.

6. The cases in which the freeze on funds and other assets shall be lifted are set out in article 2:

> "(a) When the United Nations Security Council has taken and communicated a decision to remove an individual or entity from its public lists.
>
> (b) When an individual or entity included in the public lists of the Security Council submits a request, with supporting documentation, for the defreezing of funds or other assets.
>
> (c) When a State, with regard to a freezing measure on funds and other assets that it had previously requested and which had been implemented in the context of international legal and administrative cooperation, uses the same channel to request the defreezing of those funds and assets."

7. As for the procedure for the defreezing of funds and other assets, it is provided in article 3 that when the Ministry of Foreign Affairs receives information through any official channel regarding the delisting of any individual or entity by the Security Council, it shall immediately transmit such information to the Financial Investigation Unit, which shall issue an administrative decision with express provision for the defreezing of the funds and other assets of the delisted individual or entity.

8. This administrative decision shall be transmitted to the reporting entities of the national financial system and the appropriate public registry offices; as well as the duty investigating magistrate responsible for criminal preventive measures in the place in which the Financial Investigation Unit has its headquarters, whose sole duty shall be to ratify the defreezing measure after verifying that the previously listed individual or entity has been removed from the public lists of the Security Council.

9. Lastly, the aforementioned provision states that when the actions referred to have been taken, the Financial Investigation Unit shall inform this Ministry of its compliance with the defreezing action and shall submit the relevant administrative decision for onward transmission to the Security Council.

(*Signed*) César Adalid Siles **Bazán**
Director of Legal Affairs
Ministry of Foreign Affairs